



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/776.089

02/11/2004

James A. Sonnier

284-34922-US

2350

44871 7590 05/11/2007
MADAN, MOSSMAN & SRIRAM, P.C.
2603 AUGUSTA
SUITE 700
HOUSTON, TX 77057

EXAMINER

THOMPSON, KENNETH L

ART UNIT

PAPER NUMBER

3672

MAIL DATE

DELIVERY MODE

05/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/776,089		SONNIER ET AL.	
	Examiner		Art Unit	
	Kenneth Thompson		3672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 3-5, 19-21 and 23-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6-16, 18 and 27 is/are rejected.
- 7) ☐ Claim(s) 17, 22, 26 and 28-33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The indicated allowability of claim 16, 17 and 22 is withdrawn in view of the newly discovered reference(s) to Nazzal et al., U.S. 6,041,860. Rejections based on the newly cited reference(s) follow.

Claim Objections

Claims 16, 17 and 22 are objected to because of the following informalities:

The recitation "tool stringr" in line 3 should be changed to "tool string".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Essary, U.S. 3,268,003.

Regarding claims 1, 2, 6 and 27, Essary discloses a string of tubular drill pipe (23,22) disposed in a wellbore, a workpiece or fishing device (32) lowered within the tubular drill pipe to remove a broken pipe (31) section; and subsequently a tension

Art Unit: 3672

sensing tool (free point indicator; col. 3, lines 53-63) lowered within the tubular drill pipe string.

Claims 1 and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Rogers, U.S. 3,994,163.

Regarding claim 1 and 11, Rogers discloses a string of tubular drill pipe string (P) in a wellbore for housing a workpiece (T) within the tubular drill pipe string for sensing (S) a tension (col. 7, lines 27-33).

As to claims 7-10, 12, and 13, Rogers discloses the condition sensing tool having a processing section (L) for receiving data (related to location; col. 4, lines 53-60) and transmitting the data to a remote receiver (M,E) for storage and a power section (34a,34b).

Claims 14, 15 and 18, are rejected under 35 U.S.C. 102(b) as being anticipated by Sweetman, U.S. 2,745,345.

Regarding claims 14, 15 and 18, Sweetman discloses a shock absorber, joint locator (workpiece; col. 2, lines 67-70) and a condition sensing tool (75) detecting a weight including compression of springs (5) having latching fingers integrated with a tubular pipe string (13) in a wellbore; transmitting cable tension to a remote location (77) and detonation of a charge in the workpiece (col. 6, first full paragraph) to facilitate unthreading a connection.

Art Unit: 3672

Claim 16 rejected under 35 U.S.C. 102(b) as being anticipated by Nazzal et al., U.S. 6,041,860.

Nazzal et al. discloses all the claimed limitations including the tool string (202) for performing window cutting operation, reaming operation, cementing, welding, sealing or any other desired operation having an ultrasonic sensor (260) and circuit (256) information storage (col. 2, lines 62-67).

Allowable Subject Matter

Claims 17 and 22 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

Claims 26 and 28-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 5 December 2006 have been fully considered but they are not persuasive.

Applicants argue the prior art of Essary does not disclose a fishing tool and condition sensing tool.

Essary discloses a similar system requiring multiple trips. The claims do not contain limitations precluding the comparison.

Art Unit: 3672

Applicants argue the prior art of Rogers does not disclose a tool string formed of a tubular.

Rogers discloses a string of drill pipe having a non-drilling, wire-line conveyed tool defined therein.

Applicants argument against the prior art of Sweetman rest with the introduction of a tubular tool string which is equated to a drill pipe as refuted and shown above.

Conclusion

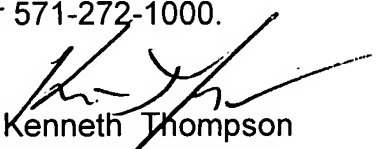
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is 571 272-7037. The examiner can normally be reached on 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3 May 2007



Kenneth Thompson
Primary Examiner
Art Unit 3672